

CHAPTER NO. 842

SENATE BILL NO. 2823

By Fowler

Substituted for: House Bill No. 2784

By Clem

AN ACT to amend Tennessee Code Annotated, Title 24, Chapter 7, relative to evidence.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 24, Chapter 7, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 24-7-____.

(a) As used in this section, "medical records" means all written clinical information which relates to the treatment of individuals, when such information is kept in an institution.

(b) Medical records or reproductions thereof, when duly certified by their custodian, physician, physical therapist or chiropractor, need not be identified at the trial and may be used in any manner in which records identified at the trial by such persons could be used. The records shall be accompanied by a statement signed by such person containing the following information:

(1) That such person has authority to certify the records;

(2) That the copy is a true copy of all the records described in the subpoena; and

(3) That the records were prepared by the personnel of the company acting under the control of the company, in the ordinary course of business.

(c) When records or reproductions thereof are used at trial pursuant to this section, the party desiring to use such records or reproductions thereof in evidence shall serve the opposing party with a copy of such records or reproductions thereof no later than sixty (60) days before the trial with notice that such records or reproductions thereof may be offered in evidence, notwithstanding any other rules or statutes to the contrary.

SECTION 2. This act shall take effect July 1, 2006, the public welfare requiring it.

Passed: May 17, 2006


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of June 2006


PHIL BREDESEN, GOVERNOR